

1 JEFFREY A. SILVESTRI, ESQ.
2 Nevada Bar No. 5778
3 McDONALD CARANO & WILSON LLP
4 2300 West Sahara Avenue, Suite 1000
5 Las Vegas, NV 89102
6 Telephone: 702.873.4100
7 Facsimile: 702.873.9966
jsilvestri@mcdonaldcarano.com

8 *Attorneys for Sinoenergy Corporation*

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 ROBERT GRABOWSKI, on behalf of himself
13 and all others similarly situated,

14 Case No: 2:09-cv-2322-RCJ-RJJ

15 Plaintiff,
16 v.

17 TIANZHOU DENG, BO HUANG, ROBERT I.
18 ADLER, RENJIE LU, GREG
19 MARCINKOWSKI, BAOHENG SHI, XIANG
20 DONG YANG, SINOENERGY
21 CORPORATION and SKYWIDE CAPITAL
22 MANAGEMENT LIMITED,

23 **DEFENDANT SINOENERGY**
24 **CORPORATION'S STATEMENT**
25 **REGARDING REMOVAL**

26 Defendants.

27 Pursuant to this Court's Minute Order dated December 9, 2009, Defendant Sinoenergy
28 Corporation ("Sinoenergy") states as follows:

29 1. The date(s) on which you were served with a copy of the complaint in the
30 removed action.

31 **ANSWER:** Sinoenergy's Agent for Service of Process was served with a copy of the
32 Complaint on November 19, 2009.

33 2. The date(s) on which you were served with a copy of the Summons.

34 **ANSWER:** Sinoenergy's Agent for Service of Process was served with a copy of the
35 Summons on November 19, 2009.

3. In removals based on diversity jurisdiction, the names of any served defendants who are citizens of Nevada, the citizenship of the other parties and a summary of defendant's evidence of the amount in controversy.

ANSWER: Not applicable.

4. If your notice of removal was filed more than (30) days after you first received a copy of the summons and complaint, the reason removal has taken place at this time and the date of your first received a paper identifying the basis for removal.

ANSWER: Not applicable.

5. In actions removed on the basis of the court's jurisdiction in which the action in state court was commenced more than one year before the date of removal, the reasons this action should not summarily be remanded to the state court.

ANSWER: Not applicable.

6. The name(s) of any defendant(s) known to have been served before you filed the notice of removal who did not formally join in the notice of removal and the reasons they did not.

ANSWER: At the time of the filing of the Notice of Removal, on December 8, 2009, Sinoenergy had no knowledge whether or not the other defendants had been previously served. Pursuant to 28 U.S.C. §§ 1453(b), Sinoenergy may remove actions commenced in state court to federal court without the formal consent of all defendants.

Dated this 23rd day of December, 2009.

MCDONALD CARANO WILSON LLP

By: /s/ Jeffrey A. Silvestri

JEFFREY A. SILVESTRI, ESQ. (NV #5779)
McDONALD CARANO & WILSON LLP
2300 West Sahara Avenue, Suite 1000
Las Vegas, NV 89102

Attorneys for Sinoenergy Corporation

::LVDOCS\183686\1

CERTIFICATE OF SERVICE

I hereby certify that I am an employee of McDonald Carano Wilson LLP and that on the 23rd day of December, 2009, a true and correct copy of the foregoing **DEFENDANT SINOENERGY CORPORATION'S STATEMENT REGARDING REMOVAL** was served on the parties to this case through electronic transmission of the Notice of Electronic Filing, which constitutes service of a document on Filing Users under the Court's Electronic Filing Procedures to all parties to this case who are Filing Users of the Electronic Filing System of the United States District Court for the District of Nevada.

/s/ Della Sampson
An employee of McDonald Carano Wilson LLP

McDONALD • CARANO • WILSON LLP
23300 WEST SAHARA AVENUE • NO. 10, SUITE 1000 • LAS VEGAS, NEVADA
PHONE (702) 873-4100 • FAX (702) 873-9966